

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of	)	
	)	
Alascom Petition for Waiver of the	)	
Commission's Rules Regarding	)	WC Docket No. 03-18
Its Annual Tariff F.C.C. No. 11	)	
	)	

**ACS-LD's COMMENTS**

ACS Long Distance ("ACS-LD"), formerly known as ATU-Long Distance, submits these comments on Alascom's Petition for Waiver of § 61.58(e)(3) of the Communications Act of 1934, as amended. Alascom seeks a waiver to continue to offer its current Tariff No. 11 rates for common carrier services without making the required annual rate revision.<sup>1</sup> Alascom seeks a waiver, in part, because it has determined that a rate revision for 2003 is "infeasible."<sup>2</sup> For the reasons set forth below, further investigation is needed before the Commission can address the petition.

Before it considers the petition, the Commission needs to conduct an investigation of the extent of competition in the different areas that are covered by Tariff 11. The Commission must consider whether market forces in these areas provide sufficient constraints on rates that tariff rules can be waived and tariff regulation is no longer necessary. The Commission must investigate the extent of competition first, to ensure that competition is sufficient for particular areas to justify the lessening or lifting of rules or regulation.

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<sup>1</sup> *In the Matter of Alascom Petition for Waiver of the Commission's Rules Regarding Its Annual Tariff F.C.C. No. 11*, WC Docket No. 03-18, Alascom, Inc. Petition For Waiver (dated January 21, 2003) ("Alascom Petition for Waiver") at page 1.

<sup>2</sup> *Id.*

For the foregoing reasons, ACS-LD respectfully requests that the Commission conduct an investigation on the extent of long distance competition in the areas covered by Tariff 11 before it addresses Alascom's Petition for Waiver.

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Respectfully submitted,

ACS LONG DISTANCE

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